

IN THE DRAWINGS:

A replacement sheet is included, pursuant to 37 CFR 1.121(d), for FIG. 3, to include reference numbers according to 37 CFR 1.84(p)(5).

REMARKS

The Office Action mailed May 17, 2005 has been reviewed and carefully considered. Claims 8, 15, 16, 18 and 19 are canceled without prejudice. Claims 20-26 are added. Claims 1-14, 17 and 20-26 are pending, the independent claims being 1 and 7. Claims 1-3, 5, 7, 8, 10-12 and 17 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

The drawings stand objected to, under 37 CFR 1.84(p)(5), for lack of reference numerals 199, 200, 110 and 120 mentioned in the specification.

Although reference numbers 199 and 200 already appear in FIG. 2, FIG. 3 is now amended to include missing reference numbers to comply with this requirement.

The claims stand rejected under 35. U.S.C. 112, first and second paragraph, for reference to the expression "offline process."

The expression "offline process" is now removed from the claims. Accordingly, the instant grounds of rejection under Section 112 are believed to be overcome.

Claims 1, 4, 6-7, 9-11, 13-15 and 17 stand rejected under 35 U.S.C. 102(a) (which the applicant believes is the intended ground of rejection, rather than 102(e)) as anticipated by European Patent Application EP1143679 to Maes.

Claim 1, as amended, recites, ". . . transmitting, from a terminal of the user, the formed search request to a search engine over an online connection on a network to said search engine, without maintaining said connection until the purchase is completed . . . and searching to complete said purchase."

The amendment of claim 1 finds support in the specification (e.g., paragraph bridging pages 8 and 9; page 9, second full paragraph; page 15, second paragraph, first sentence; page 15, next to last paragraph; paragraph bridging pages 21 and 22), in FIG. 2, ref. nos. 4, 5, 9a, 10, in FIG. 3, steps 130, 140.

Maes, by contrast, discloses a conversational portal 11 that includes a search engine, receives a communication from a user terminal 12-16, e.g., phone, and holds the client terminal captive until searching for and delivering back the fetched response (col. 16, lines 7-13).

Katz relates to a call by a telemarketing customer, during which, databases may be searched. Katz emphasizes real time upsells and teaches away from letting a customer go (col. 8, lines 22-24).

Katz fails to provide motivation for modifying Maes to resemble the above-quoted aspect of the present invention as recited in claim 1.

For at least this reason, Maes fails to anticipate claim 1 as amended, and claim 1 distinguishes patentably over the prior art of record.

Claim 7, as amended recites:

a processor configured for forming a search request based upon the audio data from the voice data packet, and for transmitting the formed search request to a search engine over an online connection on said network to the search engine, wherein said connection need not be maintained for said purchase to be completed; and
said search engine on a server for completing said purchase

Support for amendment of claim 7 exists in the same above-cited portions of the disclosure set forth above with regard to claim 1. Additional support is found in FIG. 1, ref. nos. 12, 14.

Claim 7 distinguishes patentably over Maes, and the prior art of record, for at least the same reason set forth above with regard to claim 1.

The amendment of claim 11 finds support in the specification (e.g., paragraph bridging pages 15 and 16; page 17, first full paragraph).

Claims 2, 3, 5, 8, 12, 16 and 18 stand rejected under 35 U.S.C. 103(a) as unpatentable over Maes in view of U.S. Patent No. 6,055,513 to Katz et al. ("Katz").

These claims depend from respective base claims, and distinguish patentably over Maes/Katz for at least the same reasons set forth above with regard to the base claims.

The amendment of claim 2 finds support in the specification (e.g., page 7, first full paragraph).

The amendment of claim 3 finds support in the specification (e.g., paragraph bridging pages 21 and 22).

New claims 20-23 find support in the specification (e.g., page 15, second paragraph, first sentence).

New claims 24 and 25 find support in the specification (e.g., page 5, second full paragraph; page 10, second paragraph).

New claim 26 finds support in the specification (e.g., page 9, second full paragraph).


Enclosed is a check for \$100.00 (2 x \$50.00) in payment of the fee for adding two claims in excess of twenty.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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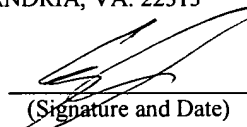

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